

REMARKS

I. Introduction

Receipt of February 14, 2011 Office Action is acknowledged. In the Action, claims 4 and 17 were rejected as allegedly anticipated by, or , in the alternative, as obvious over U.S. Patent No. 5,071,613 ("Fukami"). Claims 6, 16, 18 were rejected as allegedly being obvious over Fukami. Claims 4-7, 10, 12 and 17-18 were rejected as allegedly being obvious over Fukami in view of U.S. Patent No. 5,032,622 ("Herrington"). Claims 5 and 12 were rejected as allegedly being obvious over Fukami in view of U.S. Patent No. 4,251,428 ("Recker"). Claim 9 was rejected as allegedly being obvious over Fukami in view of U.S. Patent No. 4,738,999 ("Blenner"). Claim 9 was further rejected as allegedly being obvious over Fukami in view of Herrington and Blenner. Claims 4-7, 10, 12 and 16-18 were rejected as allegedly being obvious over WO-0216482 ("Joshi") (U.S. Patent Pub No. 2003/0176561 to Joshi is also cited) in view of Fukami and Herrington. Claim 9 was also rejected as allegedly being obvious over Joshi in view of Fukami, Herrington and Blenner.

For the reasons that follow, Applicants respectfully traverse.

II. Status of the Claims

Claims 4 and 6 are currently amended. Claims 5, 7, 9, 10, 12, 16-18 were previously presented. Claims 1-3, 8, 11, 13-15 and 19-24 are canceled. Upon entry, claims 4-7, 9, 10, 12, 16-18 will be pending for examination.

III. Rejections under 35 U.S.C.102

Claims 4 and 17 were rejected as allegedly anticipated by Fukami because the Office believes that “the claims are open to other polyol components [due to the] the comprising language in line 1 and line 2 [of claim 4].” Office Action, page 5. The Office further asserts that “Joshi discloses an overlapping molecular weight (50 to about 2000) of the polyol to component” and thereby anticipates claim 4. Office Action, page 7.

In the interest of expediting the prosecution of this application without acquiescing the Office’s rejection, Applicants have chosen to amend claim 4 to recite “a composition thereof *consisting of* an isocyanate which is a mixture *consisting of* bifunctional and trifunctional isocyanates and a polyol, and *optionally a component other than isocyanate and polyol* ... wherein the polyol (i) consists of at least one bifunctional polyol.”

Claim 4 as amended excludes any polyol components other than the specific polyol recited in the claim. As the Office implicitly acknowledged, Fukami does not disclose the use of *only* a bifunctional polyol. Fukami therefore does not anticipate claim 4. For the same reason, Joshi does not anticipate claim 4 either.

The Office further rejects claim 4 because the Office believes that Fukami (in Example 4) teaches “a mixture of ...difunctional, trifunctional, a polyfunctional [isocyanate]” and thereby anticipates claim 4. Office Action, page 6.

Claim 4 as amended, however, recites a mixture of *only* bifunctional and trifunctional isocyanates. Because the term “polyfunctional” in Fukami means four or more functional groups in this context, Fukami does not teach or suggest the use of a mixture of *only* bifunctional and trifunctional isocyanates.

Accordingly, Applicants respectfully request that the anticipation rejection be withdrawn.

IV. Rejections under 35 U.S.C.103

The Office maintains its obviousness rejections against claims 4-7, 9, 10, 12 and 16-18 over Fukami in view of one or more of four other references. Office Action, page 2-4.

As discussed above in section III, Fukami does not teach or suggest the use of only a bifunctional polyol and a mixture of only bifunctional and trifunctional isocyanates. As a result, the present invention is not obvious over Fukami in view of the other references.

Accordingly, Applicants respectfully request that the obviousness rejection be withdrawn.

CONCLUSIONS

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 5-21-2011

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